IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.30711 of 2008
1. SAGAR YADAV SON OF LATE CHARITRA YADAV
2. KRIT YADAV @ KRITA YADAV SON OF LATE HUKUMLAL YADAV
3. RAM LAGAN YADAV SON OF SRI KALLAV YADAV
ALL RESIDENT OF VILLAGE JANA,P.S.CHERIA BARIYARPUR,DISTT.BEGUSARAI
Versus
STATE OF BIHAR

3/ 24.10.2008 Heard learned counsel for the parties.

The petitioners seek bail in a case which has been registered for offences under Sections 302 and some other Sections of the Indian Penal Code and 27 of the Arms Act relating to killing of Deo Dhari Paswan and Dilip Yadav by a mob.

Submission is that the petitioners have not been described as members of the mob. Mob consisted of persons against whom there were allegations of firing and killing and no overt act is attributed against the petitioners. The allegation of firing shot was against Ramnandan Yadav which proved fatal to Dilip Yadav. Further submission is that co-accused Anil Yadav, Devendra Yadav, Kishuni Yadav, Shankar Yadav, Banda Yadav, Arbind Yadav, Bhago Yadav, Ramnandan Yadav and Khakhru Yadav faced trial (Sessions Trial No. 169 of 2001). In the said trial, the informant examined as P.W.6 who has not alleged anything against any of the accused and on the basis of his evidence and on the evidences of other witnesses, these nine accused persons have been acquitted vide order dated 5th June,2008.

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Considering the facts and circumstances of the case, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount

each to the satisfaction of Chief Judicial Magistrate, Begusarai in Cheria Bariyarpur P.S.Case No. 75 of 1999.

Tahir/- **(Shyam Kishore Sharma, J.)**

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